

OCT 14 1997

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

ORIGINAL

In the Matter of)
)
 Reallocation Channels) **ET Docket No. 97-157**
 60-69, the 746-806 MHz Band)

To: The Commission - Mail Stop 1170

REPLY COMMENTS OF THE COMMUNITY BROADCASTERS ASSOCIATION

1. These Reply Comments are filed by the Community Broadcasters Association ("CBA"), the trade association of the nation's low power television ("LPTV") stations. CBA filed initial comments in this proceeding urging the Commission to preserve existing service from LPTV stations operating on Channels 60-69 wherever possible and to compensate LPTV operators whose stations are forced to go dark.

2. Many of the land mobile interests that filed comments in this proceeding object to any continued television broadcasting operations in the 746-806 MHz band; but for the most part, their reasons for objecting go to the operation of full power stations with one megawatt or more effective radiated power and to the establishment of new television stations in the band. Those who recognize that LPTV stations operate with much less power also recognize that LPTV stations do not pose the same threat of interference to adjacent-channel land mobile operations that full power stations do, and they acknowledge that it is appropriate to preserve existing local LPTV service whenever possible.^{1/}

^{1/} Examples of such commenters include Motorola, NPSTC, and APCO. UTC's comments focus on not allowing additional broadcast stations to be built in the band and do not advocate the silencing of existing LPTV programming services.

3. CBA urges the Commission to recognize the significant distinction between full and low power television in terms of interference potential to land mobile operations and the fact that many LPTV stations operate in rural areas where there is a lesser need for large amounts of new public safety spectrum, at least in the short term.^{2/} It continues to urge the Commission to make every effort to avoid the loss of existing LPTV programming services. While Section 337 of the Communications Act directs the Commission eventually to clear the 746-806 MHz band of broadcasting operations, it does not bar the Commission from adopting transitional measures to avoid the loss of existing service. CBA also continues to urge the Commission to provide for compensation to displaced LPTV operators who cannot be accommodated below 746 MHz.^{3/}

4. The question is not whether there is a need for additional public safety spectrum. The important question is how much spectrum is needed how soon, which is to say how much spectrum the public safety community can absorb in the short term and how long it will take to plan for the orderly and efficient use of new spectrum and to obtain funding to construct and operate systems on new channels. Meanwhile, there is no need or reason to cut off valuable LPTV programming services at least in the short-term, if ever.


5. There is also no reason to preclude broadcasters, including LPTV operators, from competing for non-public safety spectrum in the 746-806 MHz band, by whatever methods are ultimately used to assign frequencies in that band, or from negotiating transitional or

^{2/} The difference between urban and rural public safety needs is recognized in the Comments of APCO.

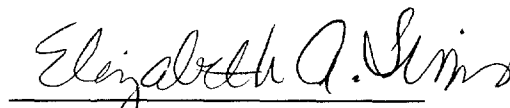
^{3/} NPSTC's Comments recognize the merits of using spectrum auction revenues for such compensation.

sharing arrangements with any new users, public safety or commercial. The issues pertaining to blanketing from high-powered broadcast operations simply do not pertain to LPTV, which operates at substantially lower power than full power television and rarely, if ever, "blankets" anything. Indeed, CBA has urged in the past, and continues to urge, that reserving channels between land mobile and broadcasting spectrum exclusively for LPTV is an excellent way to establish a guard band between television broadcasting and land mobile operations without the need to leave the guardband spectrum unoccupied.

Respectfully submitted,



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October 14, 1997

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CERTIFICATE OF SERVICE

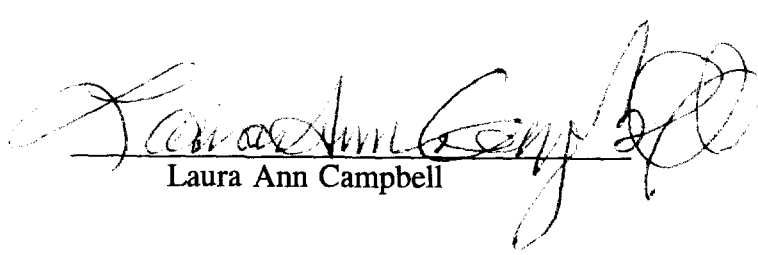
I, Laura Ann Campbell, hereby certify that on this 14th day of October, 1997, copies of the foregoing "Reply Comments of Community Broadcasters Association" have been served by first-class United States mail, postage prepaid, upon the following:

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